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Page: 1

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P 151

PAGE 01 BUENOS 09345 01 OF 03 021424Z
ACTION ARA-16

INFO OCT-01 EUR-12 IO-14 ADS-00 CIAE-00 DODE-00 PM-07
H-01 INR-10 L-03 NSAE-00 NSC-05 PA-01 SPRS-02
SP-02 SS-15 ICA-11 HA-06 /106 W

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P 021224Z DEC 80
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[REDACTED] SECTION 1 OF 3 BUENOS AIRES 9345

USEEC; ROME FOR VATICAN; CINCSO FOR INTAFF; CINCLANT FOR POLAD

EO 12065: GDS 12/1/86 (RUSER, CLAUS W.) OR-M
TAGS: SHUM, AR
SUBJECT: HUMAN RIGHTS SUMMARY: NOVEMBER 22-30, 1980
REF: BUENOS AIRES 9197

1. (U) BEGIN SUMMARY. VIDELA RATIFIES TOUGH LINE. MASSERA
FINGERS FEAR AS A DRIVING FORCE IN ARGENTINE POLITICS. THERE
ARE NOW 1,662 PRISONERS ON OTHER THAN COMMON CRIMINAL
CHARGES. FORMER PEN DETAINEES MAY BE DENIED PASSPORTS.
CENSORSHIP PROTESTED. WITNESS GETS SIX YEARS FOR REFUSING
MILITARY SERVICE. END SUMMARY.

PAGE 02 BUENOS 09345 01 OF 03 021424Z

1. (U) PRESIDENT VIDELA TAKES TOUGH LINE: PRESIDENT VIDELA
HAS ECHOED THE STRONG PUBLIC LINE TAKEN BY MILITARY

Current Class: [REDACTED]

Page: 1

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1980BUENOS09345

UNCLASSIFIED

Page: 2
Channel: n/a

SPOKESMAN ABOUT ATTEMPTS TO MAKE THE GOA ANSWER FOR THE HUMAN RIGHTS VIOLATIONS HERE. SPEAKING IN SANTA FE NOVEMBER 25, THE PRESIDENT STATED THAT "NOBODY OTHER THAN THE ARGENTINE PEOPLE CAN COME HERE TO INVESTIGATE WHAT HAPPENED HERE. THERE IS ONLY ONE JUDGE AND THAT IS THE ARGENTINE PEOPLE WHICH HAS ALREADY GIVEN ITS VERDICT. ARGENTINE IS A WESTERN NATION BUT IT DOES NOT ACCEPT THAT WITHIN THIS BLOC THERE ARE JUDGES OTHER THAN THE ARGENTINE PEOPLE..." VIDELA ALSO STATED THAT "THE WAR LEFT A PAINFUL BALANCE OF DEAD OF WOUNDED, PRISONERS AND DISAPPEARED," HE SAID, "BUT THAT DOES NOT DENY OUR PRIDE IN THE VICTORY OBTAINED AGAINST SUBVERSION."

3. [REDACTED] COMMENT: VIDELA'S REMARKS WERE RELATED TO THE OASGA'S CONSIDERATION OF THE IAHRC'S REPORT ON ARGENTINE. THEY RATIFIED WHAT IS OBVIOUS: THE GOVERNMENT INTENDS TO TAKE A VERY HARD LINE AGAINST ANY INTERNATIONAL SCRUTINY OF ITS RECORD. HIS STATEMENT THAT "THE WAR ON SUBVERSION HAS NOT ENDED" IS A SWITCH FROM PAST REMARKS THAT THE WAR HAD BEEN WON AND WAS, BY IMPLICATION AT LEAST, OVER. ARMY CHIEF GALTIERI TOLD THE AMBASSADOR THAT THE PRESIDENT MEANT THE POLITICAL WAR, AS OPPOSED TO THE MILITARY WAR, IS STILL TO BE WON.

4. (U) FEAR AND POLITICS: FORMER JUNTA MEMBER AND NAVY COMMANDER, EMILIO MASSERA, DECLARED PUBLICLY THAT "FEAR IS A PRESENCE THAT APPARENTLY HAS INSTALLED ITSELF IN ARGENTINA." MASSERA, WHO NOURISHES PRESIDENTIAL AMBITIONS, STATED THAT "THE CIVILIANS NOURISH SMALL FEARS OF THE MILITARY -- DESPITE THE [REDACTED]
[REDACTED]

PAGE 03 BUENOS 09345 01 OF 03 021424Z

FACT THAT THEY WON THE WAR TOGETHER -- AND THE MILITARY HAVE SMALL FEARS OF THE CIVILIANS; THE BUSINESSMEN ARE AFRAID THAT THEY WILL GO OUT OF BUSINESS OR THAT A HYPERTROPHIC STATE WILL DROWN THEM...THE WORKERS ARE AFRAID THAT THEIR CONQUESTS WILL BE ELIMINATED; ARTISTS ARE AFRAID OF CENSORSHIP; CENSORSHIP IS AFRAID OF IDEAS; THE PRESS IS AFRAID OF THE TRUTH; LEFTISTS ARE AFRAID THAT THEY WILL BE MISUNDERSTOOD AND PUT IN THE SAME CATEGORY AS TERRORISTS AND SUBVERSIVES; THE RIGHT IS AFRAID THAT THE LEFT.."

(U) MASSERA'S REMARKS EARNED SEVERAL REPLIES FROM GOA SPOKESMEN. PRESIDENT VIDELA LIMITED HIMSELF TO

Current Class: [REDACTED]

Page: 2

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1980BUENOS09345

Page: 3

Channel: n/a

TELLING THE PRESS THAT HE DID NOT SHARE THE ADMIRAL'S
OPINION. HE DID ADD THAT HE DID NOT MIND CRITICISM
BUT WAS BOTHERED BY DISHONESTY. WHEN ASKED WHETHER
THE ADMIRAL SHOULD BE DISCIPLINED, HE REPORTEDLY STATED
THAT IT WAS UP TO THE NAVY TO DECIDE SUCH A
QUESTION. MINISTER OF INTERIOR HARGUINDEGUY TOLD
REPORTERS THAT, "I AM NOT AFRAID. UNTIL RECENTLY, THAT WAS
MUCH FEAR IN THE COUNTRY BUT NOW IT IS OVER." AND CORDOBA
GOVERNOR GENERAL SIGWALD STATED IN A SIMILAR VEIN, "PEOPLE
ARE AFRAID. AFRAID OF WHAT? WHAT DO ARGENTINES HAVE TO BE
AFRAID OF?"

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PAGE 01 BUENOS 09345 02 OF 03 021428Z
ACTION ARA-16

INFO OCT-01 EUR-12 IO-14 ADS-00 CIAE-00 DODE-00 PM-07
H-01 INR-10 L-03 NSAE-00 NSC-05 PA-01 SPRS-02
SP-02 SS-15 ICA-11 HA-06 /106 W
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P 021224Z DEC 80
FM AMEMBASSY BUENOS AIRES
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[REDACTED] SECTION 2 OF 3 BUENOS AIRES 9345

JSEEC; ROME FOR VATICAN; CINCSO FOR INTAFF; CINCLANT FOR POLAD

5. [REDACTED] COMMENT: WE SUSPECT THAT MASSERA'S REMARKS
CAPTURED SO MUCH INTEREST BECAUSE THEY APPEAR TO MANY
ARGENTINES TO BE VERY CLOSE TO THE MARK. POLITICALLY,
THE MOST IMPORTANT FEAR IS THE CONCERN IN THE MILITARY
THAT ONE DAY, IN SOME WAY, OFFICERS COULD BE CALLED TO

Current Class: [REDACTED]

Page: 3

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1980BUENOS09345

Page: 4

Channel: n/a

ACCOUNT FOR ORDERS GIVEN AND ACTIONS TAKEN THAT TOGETHER PRODUCED THE HUMAN RIGHTS VIOLATIONS DURING THE "DIRTY WAR." THERE IS LITTLE POSSIBILITY THAT THE NAVY WILL TAKE ANY DISCIPLINARY ACTION AGAINST MASSERA.

7. [REDACTED] PRISONERS: ACCORDING TO A VERY RELIABLE SOURCE, THE NUMBER OF PRISONERS IN ARGENTINE JAILS NOW BEING [REDACTED]
[REDACTED]

PAGE 02 BUENOS 09345 02 OF 03 021428Z

HELD ON OTHER THAN COMMON CRIMINAL CHARGES AS OF NOVEMBER 24 WAS 1,662. THIS TOTAL INCLUDES THE APPROXIMATELY 1060 DETAINED UNDER VARIOUS CATEGORIES OF PEN AS WELL AS THOSE NOW SERVING SENTENCES OR OTHERWISE CHARGED BUT NOT BEING HELD UNDER PEN. A MINISTRY OF FOREIGN AFFAIRS OFFICIAL WITH ACCESS TO SUCH INFORMATION HAS TOLD US THAT THERE ARE PRESENTLY "LITTLE MORE THAN 600" PRISONERS BEING HELD UNDER PEN WITHOUT CHARGE AND WITHOUT TRIAL.

8. [REDACTED] THESE FIGURES SHOW THAT THE NUMBER OF PRISONERS IN ALL CATEGORIES IS DROPPING. SOME OF THE DROP IN PEN PRISONERS HAS BEEN ACCOMPLISHED THROUGH SIMPLY DROPPING FROM PEN PRISONERS WHO HAVE BEEN CONVICTED AND ARE SERVING THEIR SENTENCE. BUT THE REDUCTION IN PEN ALSO REFLECTS GENUINE RELEASES. IN THIS CONNECTION, MOST OF THE PEN PRISONERS ANNOUNCED AS HAVING BEEN FREED FROM JULY 8 TO NOVEMBER 7 (BUENOS AIRES 8991) WERE, WE NO UNDERSTAND, JUST RECENTLY RELEASED.

9. [REDACTED] ALMOST ALL THE 600 PRISONERS NOW BEING HELD UNDER PEN ALONE ARE PROBABLY CONSIDERED BY THE GOVERNMENT TO BE "HARD CORE", WHO IT WILL NOT RELEASE. LAST WEEK, FOR EXAMPLE, A COURT IN CORDOBA SENTENCED FOUR PEOPLE WHO WERE ARRESTED IN 1974. THE DEFENDANTS WERE MEMBERS OF ERP. BESIDES BEING CHARGED WITH THE ILLEGAL POSSESSION OF ARMS, THE FOUR REPORTEDLY PARTICIPATED IN THE THEFT OF A MEAT TRUCK AND THE DISTRIBUTION OF ITS CONTENTS TO THE POOR. IN JAIL SINCE 1974, THEY WERE SENTENCED TO TERMS OF FROM THREE TO FIVE YEARS. THE TIME THEY HAVE BEEN JAILED WOULD HAVE MADE THEM ELIGIBLE FOR RELEASE. HOWEVER, THEY HAVE BEEN KEPT IN JAIL AS PEN PRISONERS.

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Current Class: [REDACTED]

Page: 4

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1980BUENOS09345

Page: 5

Channel: n/a

PAGE 03 BUENOS 09345 02 OF 03 021428Z

10. [REDACTED] PEN PRISONERS AND PASSPORTS: TWO FORMER PEN DETAINEES, ALBERTO ALFREDO NOVOA AND MIGUEL ANGEL VICARIO, HAVE REPORTED TO THE EMBASSY THAT THEIR APPLICATIONS FOR AN ARGENTINE PASSPORT AND CEDULA HAVE BEEN STALLED BY THE FEDERAL POLICE. WHEN VICARIO INQUIRED ABOUT THE DELAY, HE WAS TOLD THAT HIS APPLICATION HAD BEEN REFERRED TO THE SECURITY OFFICE OF THE MINISTRY OF THE INTERIOR, THAT THERE IS A STANDING INSTRUCTION THAT NO EX-PEN DETAINEE IS TO BE ISSUED A PASSPORT, AND THAT HIS APPLICATION PROBABLY WOULD NOT BE APPROVED.

11. [REDACTED] COMMENT: IF THERE NOW IS A POLICY THAT FORMER PEN PRISONERS ARE TO BE DENIED PASSPORTS, IT IS A NEW ONE. IT IS ALSO A POLICY THAT WOULD GENERATE STRONG CRITICISM OF THE GOA FROM HUMAN RIGHTS GROUPS. IN THIS CONNECTION, HUMAN RIGHTS ACTIVIST AGUSTO CONTE MCDONNELL HAS CONFIRMED TO US THAT HE WAS FINALLY ISSUED HIS PASSPORT NOVEMBER 25. AT THE TIME OF ISSUANCE, HE WAS TOLD THAT THE DELAY WAS CAUSED BY MCDONNELL'S ACTIVITIES IN ARGENTINA.

12. (U) CULTURAL ORGANIZATIONS PROTEST GOVERNMENT CENSORSHIP: FIVE CULTURAL ORGANIZATIONS HAVE CALLED FOR AN END TO GOVERNMENT CENSORSHIP IN THE ARTS. THE DECLARATION, MADE BY THE PRESIDENTS OF THE ARGENTINE SOCIETIES OF WRITERS, OF AUTHORS, OF PLASTIC ARTS, OF ACTORS AND OF CINEMA, SAID THAT FREE EXPRESSION OF IDEAS IS GUARANTEED BY THE CONSTITUTION, AND "ALL ACTIONS" WHICH AFFECT IT ARE THE PROVINCE OF THE JUDICIARY, NOT THE EXECUTIVE. THE MANIFESTO PROTESTED "SIMPLE ADMINISTRATIVE DEPARTMENTS WHICH DECREE PROHIBITIONS, SEIZE BOOKS AND PUBLICATIONS, CLOSE PUBLIC SHOWS AND PROHIBIT ARTISTIC EXHIBITIONS."

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PAGE 01 BUENOS 09345 03 OF 03 021353Z POSS DUPE
ACTION ARA-16

INFO OCT-01 EUR-12 IO-14 ADS-00 CIAE-00 DODE-00 PM-07
H-01 INR-10 L-03 NSAE-00 NSC-05 PA-01 SPRS-02
SP-02 SS-15 ICA-11 HA-06 /106 W
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Current Class: [REDACTED]

Page: 5

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1980BUENOS09345

Page: 6
Channel: n/a

P 021224Z DEC 80
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[REDACTED] SECTION 3 OF 3 BUENOS AIRES 9345

USEEC; ROME FOR VATICAN; CINCSO FOR INTAFF; CINCLANT FOR POLAD

13. [REDACTED] COMMENT: THE BOUNDS OF THE PERMISSIBLE HAVE BEEN PUSHED BACK HERE OVER THE PAST YEAR OR SO. THE PUBLICATION OF THIS PROTEST ATTESTS TO THE INCREASED USE OF FREEDOM BY ARGENTINES. HOWEVER, THE OBJECT OF THE PROTEST -- GOVERNMENT CENSORSHIP OF THE ARTS -- IS A REAL ISSUE. SUCH CENSORSHIP THAT TAKES PLACE IS USUALLY ON MORAL GROUNDS RATHER THAN POLITICAL. HOWEVER, THE LATTER IS NOT ABSENT. AN ENCYCLOPEDIA WHICH ALLEGEDLY TREATED THE HISTORY OF TERRORISM IN THE COUNTRY IN A MANNER FAVORABLE TO THE TERRORISTS WAS BANNED BY GOVERNMENT DECREE LAST WEEK. IN VIEW OF THE PARTICIPATION OF THE FILM MAKERS' SOCIETY IN THIS PROTEST, THE

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PAGE 02 BUENOS 09345 03 OF 03 021353Z POSS DUPE

PRIVATE COMMENT OF ONE OF ARGENTINA'S LEADING FILM-MAKERS IS RELEVANT. HE TOLD US RECENTLY THAT OFFICIAL CENSORSHIP DOES INHIBIT HIS ART IN ARGENTINA. HE ADDED, HOWEVER, THAT OVER THE PAST THIRTY YEARS EVERY GOVERNMENT IN ARGENTINA HAS EFFECTIVELY CENSORED FILM-MAKING HERE IN ONE WAY OR ANOTHER.

14. [REDACTED] IN CONNECTION WITH CENSORSHIP, A FEDERAL JUDGE HAS REVOKED A GOVERNMENT ORDER PROHIBITING THE CIRCULATION OF A RECORD WHICH INCLUDES THE SONG "COCAINE". THE JUDGE REJECTED THE CENSORS' CLAIM THAT THE SONG WOULD CORRUPT THE YOUNG. HE SAID THAT SUCH CENSORSHIP CON-

Current Class: [REDACTED]

Page: 6

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1980BUENOS09345

Page: 7

Channel: n/a

STITUTED "PERNICIOUS PATERNALISM THAT ULTIMATELY LEADS TO THE MOST ABJECT CENSORSHIP." ONE LONGTIME AND WELL-INFORMED, DISPASSIONATE OBSERVER ON ARGENTINA THOUGHT THAT THE JUDGE'S DECISION REFELCTED WHAT HE DETECTS IS A RISING LEVEL OF UNHAPPINESS WITH THE MILITARY GOVERNMENT'S ATTEMPTS TO DICTATE TASTES AND OPINIONS.

15. (U) WITNESS CONDEMNED: LOCAL LEADERS OF THE JEHOVAH'S WITNESSES IN CORDOBA HAVE PUBLICLY CHARGED THAT A WITNESS, RUBEN ORLANDO ROSSO, HAS BEEN SENTENCED TO SIX YEARS IN JAIL FOR INSUBORDINATION. ORLANDO ROSSO WAS CALLED FOR MILITARY SERVICE BUT REFUSED TO WEAR HIS UNIFORM OR CARRY OUT ORDERS. HE WAS SENTENCED BY A MILITARY COURT. THE WITNESSES ASSERT THAT NEARLY 200 WITNESSES ARE IN JAIL IN BUENOS AIRES AND "DOZENS" OF TEACHERS ARE AWAITING SENTENCE AROUND THE COUNTRY FOR REFUSING MILITARY SERVICE. (COMMENT: ARGENTINA, OF COURSE, IS ONE OF SEVERAL COUNTRIES WHERE THE WITNESSES HAVE RUN INTO TROUBLE FOR REFUSING MILITARY SERVICE.)

16. (U) LA OPINION SOLD: JACOBO TIMERMAN'S FORMER [REDACTED]
[REDACTED]

PAGE 03 BUENOS 09345 03 OF 03 021353Z POSS DUPE

PAPER, LA OPINION, WAS SOLD IN PUBLIC AUCTION FOR DOLS FOUR MILLION. THE PAPER WAS SEIZED FROM TIMERMAN IN 1979. TIMERMAN WILL NOT RECEIVE ANY OF THE MONEY.

17. (U) MOTHERS OPEN PERMANENT OFFICE: THE MOTHERS OF THE PLAZA DE MAYO HAVE ESTABLISHED A PERMANENT OFFICE IN BUENOS AIRES. THEY BOUGHT QUARTERS IN DOWNTOWN BUENOS AIRES AND OPENED THEM OCTOBER 29. WE UNDERSTAND FROM ONE OF THE MOTHERS THAT THE ORGANIZATION HAS ABOUT 300 MEMBERS AT PRESENT. MONEY TO BUY THE OFFICE CAME LARGELY FROM ABROAD, ACCORDING TO THE MOTHERS. AT THIER REQUEST, THE MOTHERS' LEADERSHIP CALLED ON THE AMBASSADOR ON DECEMBER 1, 1980. SHLAUDEMAN
[REDACTED]

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Current Class: [REDACTED]

Page: 7